

AMENDED IN SENATE JUNE 23, 2009

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

## ASSEMBLY BILL

**No. 503**

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**Introduced by Assembly Member Furutani**

February 24, 2009

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An act to amend Section 124250 of the Health and Safety Code, relating to domestic violence.

### LEGISLATIVE COUNSEL'S DIGEST

AB 503, as amended, Furutani. Battered women's shelters: grant program.

Existing law requires the ~~Maternal and Child Health Branch~~ *Maternal, Child and Adolescent Health Division* of the State Department of Public Health to administer a comprehensive shelter-based services grant program for battered women's shelters, and requires the department, in implementing that program, to consult with an advisory council that remains in existence until January 1, 2010.

This bill would ~~delete the date upon~~ *extend the period during which* the advisory council would ~~cease to exist~~ *remain in existence to January 1, 2015. The bill also would require the State Department of Public Health to consult with the California Emergency Management Agency to consider the consolidation of their respective domestic violence programs and report conclusions to the Legislature by June 30, 2011.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 124250 of the Health and Safety Code is amended to read:

124250. (a) The following definitions shall apply for purposes of this section:

(1) “Domestic violence” means the infliction or threat of physical harm against past or present adult or adolescent female intimate partners, and shall include physical, sexual, and psychological abuse against the woman, and is a part of a pattern of assaultive, coercive, and controlling behaviors directed at achieving compliance from, or control over, that woman.

(2) “Shelter-based” means an established system of services where battered women and their children may be provided safe or confidential emergency housing on a 24-hour basis, including, but not limited to, hotel or motel arrangements, haven, and safe houses.

(3) “Emergency shelter” means a confidential or safe location that provides emergency housing on a 24-hour basis for battered women and their children.

(b) ~~The Maternal and Child Health Branch~~ *Maternal, Child and Adolescent Health Division* of the State Department of Public Health shall administer a comprehensive shelter-based services grant program to battered women’s shelters pursuant to this section.

(c) ~~The Maternal and Child Health Branch~~ *Maternal, Child and Adolescent Health Division* shall administer grants, awarded as the result of a request for application process, to battered women’s shelters that propose to maintain shelters or services previously granted funding pursuant to this section, to expand existing services or create new services, and to establish new battered women’s shelters to provide services, in any of the following four areas:

(1) Emergency shelter to women and their children escaping violent family situations.

(2) Transitional housing programs to help women and their children find housing and jobs so that they are not forced to choose between returning to a violent relationship or becoming homeless. The programs may offer up to 18 months of housing, case management, job training and placement, counseling, support groups, and classes in parenting and family budgeting.

(3) Legal and other types of advocacy and representation to help women and their children pursue the appropriate legal options.

1 (4) Other support services for battered women and their children.  
2 (d) (1) ~~The Maternal and Child Health Branch~~ *Maternal, Child*  
3 *and Adolescent Health Division* of the State Department of Public  
4 Health shall conduct a minimum of one site visit per grant term to  
5 each agency funded to provide shelter-based services to battered  
6 women and their children. The purpose of the site visit shall be a  
7 performance assessment of, and technical assistance for, each  
8 agency visited. The performance assessment shall include, but  
9 need not be limited to, a review of all of the following:

- 10 (A) Progress in meeting program goals and objectives.  
11 (B) Agency organization and facilities.  
12 (C) Personnel policies, files, and training.  
13 (D) Recordkeeping, budgeting, and expenditures.  
14 (E) Documentation, data collection, and client confidentiality.  
15 (2) Subsequent to each site visit conducted under paragraph (1),  
16 ~~the Maternal and Child Health Branch~~ *Maternal, Child and*  
17 *Adolescent Health Division* shall provide a written report to the  
18 agency summarizing the agency's performance, any deficiencies  
19 noted, and any corrective action needed.

20 (3) If an agency receives funding from both the ~~Maternal and~~  
21 ~~Child Health Branch~~ *Maternal, Child and Adolescent Health*  
22 *Division* of the State Department of Public Health and the Domestic  
23 Violence Program in the ~~Office of Emergency Services~~ *California*  
24 *Emergency Management Agency* during any grant cycle, the  
25 ~~Maternal and Child Health Branch~~ *Maternal, Child and Adolescent*  
26 *Health Division* and the Comprehensive Statewide Domestic  
27 Violence Program shall, to the extent feasible, coordinate agency  
28 site visits and share performance assessment data with the goal of  
29 improving efficiency, eliminating duplication, and reducing  
30 administrative costs.

31 (e) In implementing the grant program pursuant to this section,  
32 the State Department of Public Health shall consult with an  
33 advisory council *that shall remain in existence until January 1,*  
34 *2015.* The council shall be composed of not to exceed 13 voting  
35 members and two nonvoting ex officio members appointed as  
36 follows:

- 37 (1) Seven members appointed by the Governor.  
38 (2) Three members appointed by the Speaker of the Assembly.  
39 (3) Three members appointed by the Senate Committee on  
40 Rules.

(4) Two nonvoting ex officio members who shall be Members of the Legislature, one appointed by the Speaker of the Assembly and one appointed by the Senate Committee on Rules. Any Member of the Legislature appointed to the council shall meet with, and participate in the activities of, the council to the extent that participation is not incompatible with his or her position as a Member of the Legislature.

The membership of the council shall consist of domestic violence advocates, battered women service providers, and representatives of women's organizations, law enforcement, and other groups involved with domestic violence, and at least one representative of service providers serving the lesbian, gay, bisexual, and transgender community for purposes of domestic violence. At least one-half of the council membership shall consist of domestic violence advocates or battered women service providers from organizations such as the California Partnership to End Domestic Violence.

It is the intent of the Legislature that the council membership reflect the ethnic, racial, cultural, and geographic diversity of the state.

(f) The department shall collaborate closely with the council in the development of funding priorities, the framing of the Request for Proposals, and the solicitation of proposals.

(g) (1) ~~The Maternal and Child Health Branch~~ *Maternal, Child and Adolescent Health Division* of the State Department of Public Health shall administer grants, awarded as the result of a request for application process, to agencies to conduct demonstration projects to serve battered women and their children, including, but not limited to, creative and innovative service approaches, such as community response teams and pilot projects to develop new interventions emphasizing prevention and education, and other support projects identified by the advisory council.

(2) For purposes of this subdivision, "agency" means a state agency, a local government, a community-based organization, or a nonprofit organization.

(h) It is the intent of the Legislature that services funded by this program include services for battered women in underserved communities, including the lesbian, gay, bisexual, and transgender community, and ethnic and racial communities. Therefore, the ~~Maternal and Child Health Branch~~ *Maternal, Child and Adolescent*

1 *Health Division* of the State Department of Public Health shall do  
2 all of the following:

3 (1) Fund shelters pursuant to this section that reflect the ethnic,  
4 racial, economic, cultural, and geographic diversity of the state.

5 (2) Target geographic areas and ethnic and racial communities  
6 of the state whereby, based on a needs assessment, it is determined  
7 that no shelter-based services for battered women exist or that  
8 additional resources are necessary.

9 (i) The director may award additional grants to shelter-based  
10 agencies when it is determined that there exists a critical need for  
11 shelter or shelter-based services.

12 (j) As a condition of receiving funding pursuant to this section,  
13 battered women's shelters shall do all of the following:

14 (1) Provide matching funds or in-kind contributions equivalent  
15 to not less than 20 percent of the grant they would receive. The  
16 matching funds or in-kind contributions may come from other  
17 governmental or private sources.

18 (2) Ensure that appropriate staff and volunteers having client  
19 contact meet the definition of "domestic violence counselor" as  
20 specified in subdivision (a) of Section 1037.1 of the Evidence  
21 Code. The minimum training specified in paragraph (2) of  
22 subdivision (a) of Section 1037.1 of the Evidence Code shall be  
23 provided to those staff and volunteers who do not meet the  
24 requirements of paragraph (1) of subdivision (a) of Section 1037.1  
25 of the Evidence Code. *The State Department of Public Health shall*  
26 *consult with the California Emergency Management Agency to*  
27 *consider the consolidation of their respective domestic violence*  
28 *programs and report conclusions to the Legislature by June 30,*  
29 *2011.*